

REMARKS

Restriction Requirement and Elections:

In response to restriction requirement made under 35 USC 121, the following elections are made, without traverse:

Election is made to prosecute claims directed to the invention of Group II, which has been defined as follows:

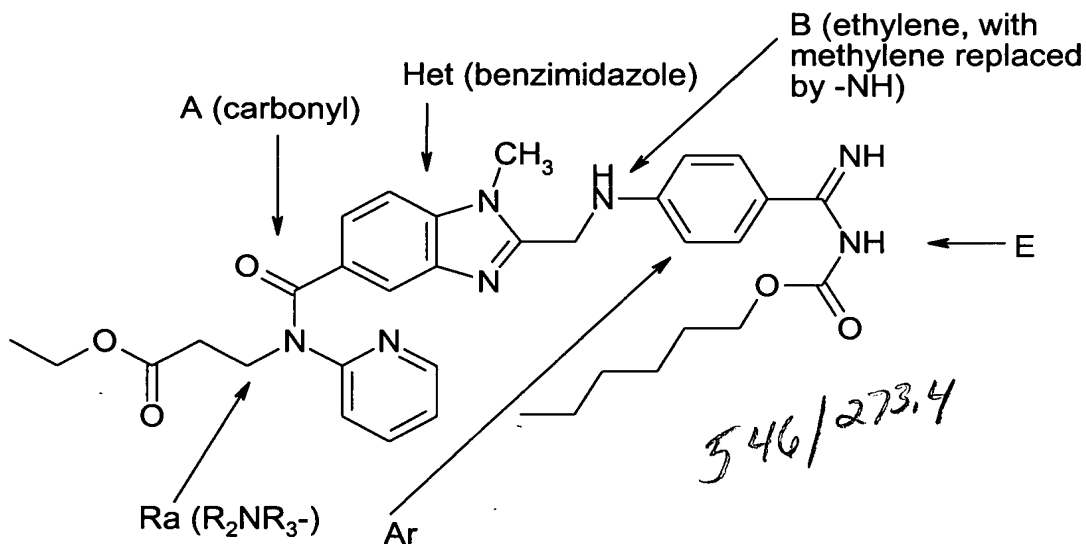
"II. Claim 1-12, drawn to a compounds and compositions where Het = benzimidazolyl and ~~Het~~ ^{Ar} = as defined in group I."

yes
In making the above election, it is assumed that the second reference to "Het" was meant to, instead, be a reference to "Ar". In group I, "Ar = phenyl, naphthyl or thienyl." Thus, the election is considered to be "compounds and compositions where Het = benzimidazolyl and Ar = phenyl, naphthyl or thienyl."

The following single species is also elected, to which claims may be limited should generic claims be found not allowable:

1-Methyl-2-[N-[4-(N-n-hexyloxycarbonylamidino)phenyl]-aminomethyl]-benzimidazol-5-yl-carboxylic acid-N-(2-pyridyl)-N-(2-ethoxycarbonyl)ethyl)-amide.

The elected species is that described in Example 113 on page 116 of the application. It is also the single species covered by claim 10. It has the following structural formula:



The method of use of claims 13 and 14 is also elected.

Information Material To Examination

It is requested that the Examiner make of record and consider the references cited in the International Search Report for PCT/EP98/00865, from which the current application is derived.

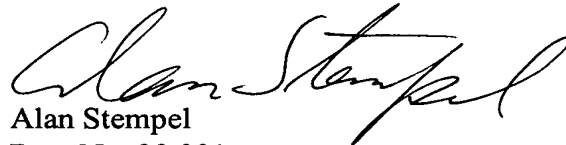
The references cited are the following:

- (1) DE-A-41 29 603 (Thomae)
- (2) EP-A-0,655,439 (Eli Lilly Co.)
- (3) EP-A-0,540,051 (Daiichi Pharm. Co., Ltd.)
- (4) US-A-5,416,099 (Merck & Co.)
- (5) US-A-4,675,405
- (6) J. Med. Chem. 37, 1200-1207 (1994) (compare also EP-A-0,540,051)

A copy of the International Search Report, as well as a copy of each reference cited therein are enclosed herewith. Also enclosed are Forms PTO 1449A and PTO 1449B, which list each of the cited references.

All of the cited references are in English, except DE-A-41 29 603. In lieu of the explanation of the relevance of DE-A-41 29 603 required by 37 CFR 1.98(a)(3)), a copy of US Patent 5,434,150, which corresponds to DE-A-41 29 603, is enclosed.

Respectfully submitted,



Alan Stempel
Reg. No. 28,991

December 31, 1998

Patent Department
Boehringer Ingelheim Corp.
900 Ridgebury Road
Ridgefield, CT 06877
Tel: 203-798-4868

Enclosures:

- (1) Form PTO/SB/17
- (2) International Preliminary Examination Report for PCT/EP98/00865
- (3) Form PTO 1449A and copies of references cited thereon
- (4) Form PTO 1449B and copy of reference cited thereon
- (4) Return Post Card